IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 2ND JULY 2007 / 11TH ASHADHA 1929

CRP.No. 2132 of 1997(I)

TLB.266/1973 of TALUK LAND BOARD, THALASSERY

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REVN. PETITIONER:

1.P.C. VARGHESE, PANTHIRUVELIL HOUSE, MANATHANA AMSON, MURINGODE DESOM, PARAVOOR.

2. SMT, JESSY, D/O. VARGHESE, KAITHAKULATH, MANATHANA AMSOM,MURINGODE DESOM, PARAVOOR.

3. SMT. VALSAMMA, D/O. P.C. VARGHESE, PANTHIRUVELIL HOUSE, MANATHANA AMSOM, MURINGODE DESOM, PARAVOOR.

BY ADV. SRI.M.C.SEN
SMT.SHAHNA KARTHIKEYAN
SRI.M.P.SREEKRISHNAN

RESPONDENTS:

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1. GOVERNMENT OF KERALA, REPRESENTED BY CHIEF SECRETARY, TIANDURM.

2. TALUK LAND BAORD, THALASSERY.

3. TAHSILDAR, THALASSERY.

BY GOVERNMENT PLEADER SRI.THOMAS JOHN AMBOOKAN

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 02/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

C.R.P. NO.2132 OF 1007

Dated this the 2nd day of July, 2007

O R D E R

Heard Smt.Shahna Karthikeyan,the learned counsel for the petitioners and Sri.Thomas John Ambookan, the learned Government Pleader for the respondents. My attention was drawn by the counsel for the petitioners to the Kerala Land Reforms (Amendment) Act 2005 and particularly newly introduced Section 7E therein. The learned counsel and the Government Pleader submitted that the implications of the amendment could not have been taken into account by the Taluk Land Board while passing the impugned order.

Under the above circumstances, I set aside the impugned order and remand the matter back to the Taluk Land Board, Tellicherry. The Taluk Land Board will issue notice to all the affected parties and take a fresh decision, having due regard to the implications of the provisions introduced into the Land

Reforms Act under the Kerala Land Reforms(Amendment) Act 2005 particularly Section 7E. Fresh decision will be taken by the Taluk Land Board as directed above at its earliest.

PIUS C. KURIAKOSE,
JUDGE.

Dpk

PIUS C.KURIAKOSE, J

C.R.P. NO. 2132 OF 1997

O R D E R

2ND JULY 2007